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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIM LAMAN

Plaintiff,

V.

SAFARIKA TRAVEL, INC.,

Defendant.

Civil Action No. 5:23-cv-05985-EJD

**PLAINTIFF’S MOTION TO
STRIKE DEFENDANT’S CASE
MANAGEMENT SUBMISSION
AND ANSWER**

Plaintiff Tim Laman (“Plaintiff”) hereby files this motion to strike defendant
Safarika Travel, Inc.’s (“Defendant”) Case Management Submission [D.E. 15] and
Answer and Affirmative Defenses [D.E. 17] and states as follows:

1 1. On November 20, 2023, Plaintiff filed his Complaint. See D.E. 1.

2 2. On October 13, 2023, the Court issued the summons as to Defendant.
3 See D.E. 6.

4 3. Defendant's Answer was due December 26, 2023. See D.E. 7.

5 4. On February 29, 2024, undersigned counsel and Karina Safari (the
6 owner and registered agent of Defendant) appeared telephonically for a status
7 conference.
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9 5. At the status conference, undersigned counsel informed the Court that
10 the parties had agreed to provide Defendant with an extension of time to file its
11 Answer.
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13 6. On April 19, 2024, Plaintiff filed the request for extension of time for
14 Defendant to Answer on the docket. See D.E. 13.

15 7. On April 19, 2024, the Court entered an Order extending *nunc pro*
16 *tunc* Defendant's deadline to respond to Complaint, continuing the status
17 conference and other related deadlines, and staying deadlines (the "Order"). See
18 D.E. 14.
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20 8. In the Order, the Court set Defendant's deadline to file a response to
21 Plaintiff's Complaint for May 20, 2024.

22 9. On May 2, 2024, Defendant filed a Case Management Submission.
23 See D.E. 15.
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1 10. On May 2, 2024, Defendant also filed an improper *pro se* Answer.
2 See D.E. 17.

3 11. As the Court knows, federal law requires a corporate entity to be
4 represented by counsel. See, e.g., Rowland v. Cal. Men's Colony, Unit II Men's
5 Advisory Council, 506 U.S. 194, 201-02 (1993) ("It has been the law for the better
6 part of two centuries... that a corporation may appear in the federal courts only
7 through licensed counsel."); Rush v. Hyun Suk Kim, No. SACV 12-00400-CJC
8 (RNBx), 2013 U.S. Dist. LEXIS 203138 (C.D. Cal. Jan. 2, 2013) ("As Luna is a
9 corporate entity, it cannot appear *pro se*, but must be represented by counsel.");
10 Multi-Denominational Ministry of Cannabis & Rastafari, Inc. v. Holder, 365 F.
11 App'x 817, 819 (9th Cir. 2010) ("The law is clear that incorporated entities must
12 be represented by counsel in court."); Licht v. American West Airlines, 40 F.3d
13 1058, 1059 (9th Cir. 1994) ("Corporations . . . must appear in court through an
14 attorney.")

15 12. The Answer is signed by Karina Safari. Ms. Safari is not an attorney
16 licensed to practice law in the State of California, the United States District Court
17 for the Northern District of California, or any other jurisdiction. As a result, she
18 cannot as a matter of law represent Defendant in this lawsuit.

19 13. Accordingly, both the Case Management Submission [D.E. 15] and
20 Answer and Affirmative Defenses [D.E. 17] are improper *pro se* filings.
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1 14. Before filing this Motion, undersigned counsel was unable to confer
2 with counsel for Defendant (to the extent Defendant may have counsel), nor
3 Defendant's representative, Ms. Safari. Undersigned counsel was in contact with
4 an attorney for Defendant, who has not made a formal appearance in this case.
5 The attorney was working to confirm the scope of his representation but has yet
6 to do so. Accordingly, undersigned counsel did not want to contact an individual
7 who may have legal counsel. At this time, Plaintiff is unsure whether Defendant
8 opposes the requested relief, as Plaintiff is in a holding pattern due to not being
9 able to confirm whether Defendant has representation or if undersigned counsel
10 may communicate with Defendant.
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14 **WHEREFORE**, Plaintiff respectfully requests that the Court enter
15 an Order: (a) striking the Case Management Submission; (b) striking the Answer;
16 (c) requiring Defendant (through counsel) to file its response to the Complaint
17 within seven (7) days thereof; (d) staying the dates for the status conference and
18 joint status report; and, (e) for such further relief as the Court deems proper.
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1 DATED: May 30, 2024.

COPYCAT LEGAL PLLC

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3 By: /s/ Lauren M. Hausman

4 LAUREN M. HAUSMAN

5 Attorney for Plaintiff

6 Tim Laman
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CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will electronically serve all counsel of record. I further certify that on May 30, 2024, the foregoing document was served via US Mail to Safarika Travel, Inc., c/o Katrina Safari, 2522 Promontory Cir, San Ramon, CA 94583 and via electronic mail to info@safarikatravel.com.

By: /s/ Lauren M. Hausman

Lauren M. Hausman